

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DIANE FRATANTUONO, :  
Plaintiff :  
 :  
v. : No. 2:02-CV-03564 (AB)  
 :  
UNITED STATES DEPARTMENT :  
OF INTERIOR, *et al.*, :  
Defendants :  
 :  
 :

PROPOSED JOINT DISCOVERY PLAN  
UNDER FED.R.CIV.P 26(f)

I. Rule 26(a) Disclosures

Counsel anticipate completing the self-executing disclosures on January 27, 2003, as required by Rule 26(a).

II. Discovery Subjects and Timetable For Discovery

- (A) Counsel agree that the subjects for discovery include:
  - (i) Facts and circumstances of the accident and relating physical injury/limitations sustained by Plaintiff.
- (B) Counsel also agree upon the following discovery timetable:
  - (a) Close of all discovery February 28, 2003
  - (b) Close of fact discovery February 28, 2003
  - (c) Expert reports due February 21, 2003; Rebuttal reports due March 1, 2003; Depositions of all experts to be completed by March 1, 2003.
  - (d) Dispositive motions due March 10, 2003.
  - (e) Exchange of exhibits due March 1, 2003.

- (f) Plaintiff's pre-trial memorandum due March 1, 2003.
- (g) Defendant's pre-trial memorandum due March 1, 2003.
- (h) All motions in limine due March 1, 2003.
- (i) All responses to motions in limine due March 10, 2003.
- (j) A Daubert or Markman hearing shall be held March 10, 2003.
- (k) Final pre-trial conference to be held March 10, 2003.

### III. Changes and Limitations on Discovery

Counsel agree that discovery should be conducted in accordance with the parameters set forth in the Federal Rules of Civil Procedure, subject to modification by agreement of the parties or by Court order, as necessary under the circumstances.

### IV. Alternative Dispute Resolution

This case is currently scheduled for arbitration on March 14, 2003.

### V. Other Issues

**N/A**

Counsel for the government certifies that this is a Joint Discovery Plan submitted after consultation with Mr. Staunton, counsel for plaintiff.

---

STEPHEN J. BRITT  
Assistant United States Attorney  
counsel *pro def.*